

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 CHINA ENERGY CORPORATION, a
9 Nevada Corporation,

10 Plaintiff(s),

11 vs.

12 ALAN T. HILL, ET ALS

13 Defendant(s).
14

Case # 3-13-cv-00562-MMD-VPC

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$200.00

15
16 Lawrence S. Elbaum, Petitioner, respectfully represents to the Court:
(name of petitioner)

17 1. That Petitioner is an attorney at law and a member of the law firm of

18 Proskauer Rose, LLP

19 (firm name)

20 with offices at Eleven Times Square,
(street address)

21 New York

22 (city)

New York

(state)

10036

(zip code)

23 (212) 969-3161

(area code + telephone number)

lelbaum@proskauer.com

(Email address)

24 2. That Petitioner has been retained personally or as a member of the law firm by

25 The Depository Trust Company and Cede & Co. to provide legal representation in connection with
26 [client(s)]

27 the above-entitled case now pending before this Court.
28

3. That since January 10, 2007, Petitioner has been and presently is a
(date)
member in good standing of the bar of the highest Court of the State of New York
(state)
where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
from the clerk of the supreme court or highest admitting court of each state, territory, or insular
possession of the United States in which the applicant has been admitted to practice law certifying
the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
US Court of Appeals, 5th Circuit	12/01/2009	4437836
US District Court, E.D.N.Y.	8/21/2007	4437836
US District Court, S.D.N.Y.	8/21/2007	4437836

5. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

N/A

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

3 No
4
5

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 (State "none" if Petitioner is not a member of other Bar Associations.)
8 N/A
9

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 10-2
11 during the past three (3) years in the following matters:

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
10/17/2013	3:13-cv-00170-RCJ	District of Nevada/J.Jones	Granted

18
19 (If necessary, please attach a statement of additional applications)

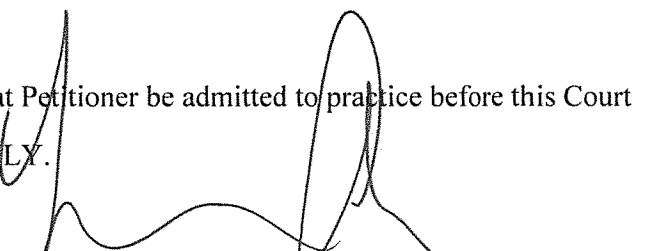
20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

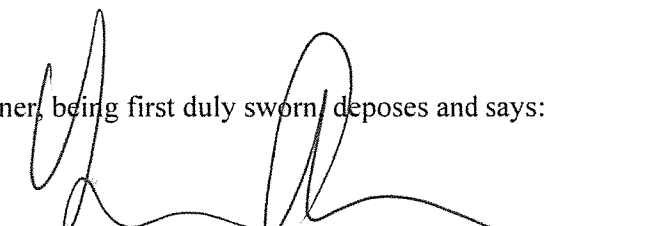
25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.
27
28

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
2 FOR THE PURPOSES OF THIS CASE ONLY.

3
4 STATE OF New York)
5 COUNTY OF New York)
6


Petitioner's signature

7 Lawrence S. Elbaum, Petitioner, being first duly sworn, deposes and says:
8 That the foregoing statements are true.


Petitioner's signature

9
10 Subscribed and sworn to before me this

11 19th day of March, 2014.

12
13 Mary Jane McAleavy
14 Notary Public or Clerk of Court

MARY JANE McALEAVY
Notary Public, State of New York
No. 31-4987312
Qualified in New York County
Commission Expires October 7, 20 17

15
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**
17 **THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner
19 believes it to be in the best interests of the client(s) to designate Daniel T. Hayward,
20 (name of local counsel)
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the
22 above-entitled Court as associate resident counsel in this action. The address and email address of
23 said designated Nevada counsel is:

24 9600 Gateway Drive,
(street address)
25 Reno, Nevada, 89521,
(city) (state) (zip code)
26 775-322-1170, dhayward@laxalt-nomura.com,
(area code + telephone number) (Email address)
27
28

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.
4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6
7 The undersigned party(ies) appoint(s) Daniel T. Hayward as
8 his/her/their Designated Resident Nevada Counsel in this case.
9
10

11 _____
(party's signature)

12 The Depository Trust Company and Cede & Co.

13 _____
(type or print party name, title)

14 _____
(party's signature)

15 PETER J. GLEASON, Managing Director for
16 (type or print party name, title) The Depository Trust Co.
and Partner for Cede & Co.

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.
19

20 _____
Designated Resident Nevada Counsel's signature

21 5986 d.hayward@laxalt-nomura.com

22 Bar number

Email address

23 APPROVED:

24 Dated: this 21st day of March, 2014

25 _____
26 UNITED STATES DISTRICT JUDGE
27
28

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this 20TH day of March, 2014, I caused to be served a true and correct copy of the foregoing ***VERIFIED PETITION FOR PERMISSION TO PRACTICE IN THIS CASE ONLY BY ATTORNEY NOT ADMITTED TO THE BAR OF THIS COURT AND DESIGNATION OF LOCAL COUNSEL*** by method indicated

XX by Court's CM/ECF Program

And addressed to the following:

Anjali D. Webster, Esq.
Justin J. Bustos, Esq.
Gordon Silver
100 W. Liberty Street
Reno, 89501

Michael N. Feder, Esq.
Gordon Silver
3960 Howard Hughes Parkway, 9th Floor
Las Vegas, NV 89169

Frances Floriano Goins, Esq.
Ulmer & Berne LLP
1660 West 2nd Street, Ste 1100
Cleveland, OH 44113
Attorneys for Plaintiff China Energy Corporation

Michael Sammons
15706 Seekers Street
San Anotnio, TX 78255
Defendant/Third Party Plaintiff

Richard L. Elmore, Esq.
Holland & Hart LLP
5441 Kietzke Lane, 2nd Floor
Reno, NV 89511
Attorneys for Defendant Thomas S. Vredevoogd

1 Edmund J. Gorman, Jr., Esq.
2 Attorney at Law, Ltd.
3 335 W. First Street
4 Reno, NV 89503
5 *Attorney for Defendant Alan T. Hill*

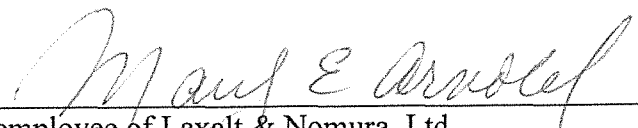
6 LOUIS M. BUBALA III
7 State Bar No. 8974
8 (lbubala@armstrongteasdale.com)
9 BRET F. MEICH
10 State Bar No. 11208
11 (bmeich@armstrongteasdale.com)
12 ARMSTRONG TEASDALE LLP
13 50 West Liberty, Suite 950
14 Reno, NV 89501
15 Telephone: (775) 322-7400
16 Facsimile: (775) 322-9049
17 Counsel for Third Party Defendant COR Clearing

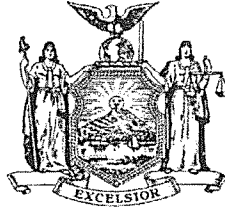
18 And by U.S. Mail to Pro Se Parties addressed as follows:

19 Elena Sammons
20 15706 Seekers St
21 San Antonio, TX 78255
22 *Defendants / Third-Party Plaintiffs (Pro Se)*

23 Randy Dock Floyd
24 4000 Goff Road
25 Aynor, SC 29511
26 *Defendant (Pro Se)*

27 Jun He
28 231 Split Road Rd
The Woodlands, TX 77381
Defendant (Pro Se)


An employee of Laxalt & Nomura, Ltd.



**Appellate Division of the Supreme Court
of the State of New York
Second Judicial Department**

I, Aprilanne Agostino, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Lawrence S. Elbaum** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the 10th day of **January 2007**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.



In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on **March 18, 2014**.

Aprilanne Agostino

Clerk of the Court